REMARKS

Reconsideration of the above-indicated patent application, as amended, is respectfully requested. The present amendment is responsive to the Final Office Action mailed December 30, 2003. Claims 1-51 had been rejected. Accordingly, various claims have been amended or cancelled and supporting remarks are presented herewith that particularly point out and distinctly claim the subject matter that applicant regards as his invention. No new matter has been added.

THE INVENTION

As presently amended, the claims recite elements that highlight that a "primary processing system" is used "local to the airport " for "producing airfield approach lighting status information." The claims further highlight that "a redundant secondary processing system" is used "to access the local processing system from a remote location." The "redundant system" is further defined in the dependent claims as being a "user node," where the user node is a customer node, a maintenance node, and/or a sales/marketing node. In this way, the present invention provides an additional layer of monitoring of the airfield system, thereby improving performance and efficiency. By amending the claims in this manner, it is hoped that the subject of the present system will be clearly construed from the claims, and that the differences will be made clearly apparent between the present system and the prior art systems relied upon by the Examiner.

THE REJECTIONS UNDER 35 U.S.C. § 103

The Examiner had rejected claims 1-3, 7-11, 13-14, 28-30, 34-38 and 40-41 under Section 103(a) as being unpatentable over Woolard et al. (WO 00/17984) in view of Conkright et al. (U.S. Pat. No. 6,236,332). This grounds of rejection is respectfully traversed, particularly as applied to the amended claims.

As noted previously, Woolard et al. discloses an energy management system for energy users with large physical plants. The system of Woolard et al. is intended to provide such energy users with a comprehensive understanding of their energy consumption, in order to help with managing business decisions. Woolard et al. also discloses providing a single centrally located management system for managing a number of geographically dispersed locations. Woolard et al. also discloses that access to the facilities may be obtained over a communications system, which may be the Internet.

It is noted that Woolard et al. does not teach a system including a primary processing system, local to the airport, used in conjunction with a redundant secondary processing system, at a remote location, as recited at present. In contrast, Woolard et al. simply discloses a single management system that connects multiple sites to provide management of multiple sites from a single location. This is very different from the present system in which monitoring of a single site is accomplished from multiple location. In this way, it should be clear that the system of Woolard et al. is in fact in opposition to the present system, and therefore teaches away from the present invention as presently claimed. In order to further highlight these differences and advance prosecution by reducing the issues in the present case, independent claims 19 and 43 have

been cancelled, which included limitations directed to a "central control center." It is therefore respectfully submitted that the present outstanding independent claims are allowable for at least the above reasons.

In addition to the above, it is further submitted that the arguments submitted in the previous response are also applicable in the present response. As noted previously, Woolard et al. also fails to disclose a method or apparatus for indicating whether the status of an airfield lighting system is satisfactory or whether action should be taken in response thereto. Woolard et al. also fails to disclose such a local system in combination with a redundant control and monitoring system, including a connection to the local processing system via a global communication network such as the Internet. Therefore, there is no way that Woolard et al. can be construed as providing a system with capabilities commensurate with those recited in the amended claims and supported by the present disclosure, particularly as applied to an airfield lighting system.

The Examiner once again relies on the Conkright et al. reference in combination with Woolard et al. Conkright et al. is brought in apparently for simply showing the remote access of airport lighting information over the Internet. However, it is further noted that Conkright et al. does not disclose a system for simply indicating whether the status of an airfield lighting system is satisfactory or whether action should be taken in response thereto. Conkright et al. also fails to disclose a primary local processing system at an airport for monitoring an airfield lighting system, used in combination with a redundant secondary monitoring system, which accesses the local processing system via a global communication network such as the Internet.

The Woolard et al. and Conkright et al. references respectively fail in disclosing the various elements of the present system. Therefore, even if the combination of Woolard et al. and Conkright et al. were a proper combination, it would still fail to disclose a system with primary monitoring and redundant secondary monitoring of an airfield lighting system, as is clearly required by the present independent claims. Reconsideration of this grounds of rejection is therefore respectfully requested.

The Examiner had once again rejected claims 19-25, 4, 5, 31-32 and 43-49 under Section 103(a) as being unpatentable over the base combination of Woolard et al. in view of Conkright et al., further in view of Townsend (WO 01/22177). Claims 6, 12, 33 and 39 are again rejected under Section 103(a) as being unpatentable over the base combination, further in view of Steen et al. (WO 00/62136). Claims 15-17 and 42 are again rejected under Section 103(a) as being unpatentable over the base combination, further in view of Runyon et al. (U.S. Pat. No. 5,969,642). Claim 18 is again rejected under Section 103(a) as being unpatentable over the base combination, further in view of Norman et al. (U.S. Pat. No. 5,243,340). Claims 26, 27 and 50-51 are again rejected under Section 103(a) as being unpatentable over the base combination, further in view of Townsend and Moore (presumably U.S. Pat. No. 5,877,961). These grounds of rejection are also respectfully traversed, particularly as applied to the amended claims.

As noted above, claims 19-27 and 43-51 are cancelled herewith. For at least this reason, the above-indicated rejections of these claims are obviated. The remaining rejections are directed to dependent claims that follow from the non-cancelled

independent claims. However, these dependent claims are believed to be allowable for at least the same reasons as the independent claims from which they depend.

Further, these claims are believed to be allowable for the reasons set forth in the previous response. The Examiner has not commented on these arguments, and therefore they are reiterated hereinbelow.

The Examiner once again brings in the Townsend reference inter alia for disclosing a system of controlling facilities over the Internet using an authorization code. The Steen et al. reference has again been applied by the Examiner for disclosing customer access over the Internet and notification via cellphone. The Examiner again adds Runyon et al. to the base combination for disclosing transmitting data in an airfield lighting system via wires, fiber optics or wirelessly. Norman et al. is again brought in by the Examiner for disclosing the providing of location data to a processor in addition to data related to airport lighting. The above-indicated rejections of the various dependent claims are concerned with ancillary details of the present embodiments. It should be considered that the references to Townsend, Steen et al., Runyon et al., and Norman et al. do not supply the deficiencies of the base claims, particularly as presently amended. To wit, none of these references can be relied on to show such a primary local monitoring system in combination with a redundant monitoring system, including a connection to the local processing system via a global communication network such as the Internet.

Therefore, it is clear that, even if it were proper to further combine these references with the base combination, as proposed by the Examiner, these references would nevertheless fail to shore up the deficiencies of the base combination. Thus, it is

clear that none of the various proposed combinations can be construed as providing a system with redundant monitoring of an airfield lighting system, as is clearly shown in the present disclosure and recited in the claims as presently amended. Thus, the present dependent claims are allowable for at least the same reasons as the present independent claims. In view of the above, it is respectfully submitted that the present claims distinguish over the prior art and reconsideration of the outstanding rejections are respectfully requested.

In view of the foregoing it is respectfully submitted that the present application distinguishes over the prior art, and a notice to that effect is earnestly solicited. If the Examiner believes there are any further matters, which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 74953/11664.

Respectfully submitted,

Jay P. Ryan
Agent for Applicants
(Registration No. 37,064)
Tucker, Ellis & West LLP
1150 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475
(216) 696-4396 (phone)
(216) 696-2645 (fax)